



"I will stand for my client's rights.
I am a trial lawyer."
-Ron Motley (1944-2013)

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January 4, 2024

VIA ECF

Honorable Rukhsanah L. Singh, U.S. Magistrate Judge
United States District Court – District of NJ
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Court Room 7W
Trenton, NJ 08608

RE: **In re: Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation – MDL 2738**

This document relates to:

Darlene Arden, Case No: 3:17-cv-11351;
Dana Arenz, Case No: 3:17-cv-06074;
Molly Becker, Case No: 3:17-cv-06494;
Maureen Douglas, Case No: 3:17-cv-12296;
Jamie Engel, Case No: 3:17-cv-02998;
Randi Larsen, Case No: 3:17-cv-06206;
Jessica Luna, Case No: 3:17-cv-12324;
Marie Carmelle Lafontant, Case No: 3:17-cv-01501

Dear Magistrate Judge Singh:

Please accept this correspondence in response to Defendants' December 14, 2023, letter to the court regarding the plaintiffs who have failed to comply with the Court's September 1, 2023, Order regarding Plaintiff Profile Forms.

The Defendants' claim that basic case specific discovery has not been supplied even though the cases have been pending for at least six years is exaggerated. As the Court is aware, discovery in the MDL was bifurcated with the initial focus on liability and not case specific discovery. In fact, other than in discovery pool cases or as part of the *in extremis* protocol, case specific discovery was not ordered in these cases initially until April 4, 2021, with a due date of October 20, 2021, despite the fact that the MDL was formed in 2016. The original discovery due date was then stayed for almost two years because of Defendants' misguided efforts at bankruptcy.

Motley Rice LLC represents 8 plaintiffs identified in Defendants' Exhibit A, numbered 286 through 293, and acknowledge that the deadline issued by the Court has passed. For Plaintiff Darlene Arden (#286), Plaintiff's counsel will forward a Stipulation of Dismissal with Prejudice for Defendants' review. Plaintiff's counsel requested a short extension through and including December 27, 2023, for Plaintiff Marie Carmelle Lafontant (#293), and produced the PPF, authorizations and medical records on December 27, 2023. Unfortunately, the cases identified from #287 - #292 are examples of the negative impact of defendants' litigation tactics that has prolonged the litigation, as counsel has been



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unable to locate these plaintiffs in order to comply with the Court's September 1, 2023, Order. We shall continue our efforts to locate these clients to comply with the Court's Order unless instructed otherwise by the Court.

Very truly yours,

A handwritten signature in blue ink that reads 'Carmen S. Scott'.

Carmen S. Scott

CSS/kad